



Petition Number: 1506-PUD-10
Subject Site Address: 930 Viking Sunrise Lane
Petitioner: Denese & James Stachowiak
Petitioner Representative: Ron Frushon (Perma Pools Corp)
Request: Viking Meadows PUD Ordinance approval to reduce the Minimum Rear Yard Building Setback Line on lot 17 in the Two Gaits section of the Viking Meadows subdivision.
Current Zoning: PUD
Current Land Use: Vacant
Approximate Acreage: .59 acre +/-
Exhibits: Exhibit 2: Aerial Location Map
Exhibit 3: Ordinance 15-13
Exhibit 4: Site Plan
Staff Reviewer: Andrew Murray

PROJECT OVERVIEW

Location: The subject property is lot 17 in the Two Gaits section of the Viking Meadows subdivision (the "Property") (**see Exhibit 2**).

Amendment Request: The requested amendment to the Viking Meadows PUD Ordinance would modify the Property's Minimum Building Setback requirement (the "PUD Amendment Ordinance", **see Exhibit 3**). The Petitioner is requesting approval to reduce the Minimum Rear Yard Building Setback Line from twenty-five (25) feet to six (6) feet to accommodate the construction of a swimming pool (**see Exhibit 4**). Swimming pools are required to meet the same minimum Building Setback Lines as the Principal Building to which they are accessoryⁱ.

PROCEDURAL

City Council: The PUD Amendment Ordinance was introduced to the City Council on May 11, 2015.

Public Hearing: Public hearings by the Advisory Plan Commission ("APC") are required for Planned Unit Developments. The PUD Amendment Ordinance is scheduled to receive a public hearing at the June 1, 2015 APC meeting. Notice of the June 1, 2015, public hearing was provided for in accordance with the APC Rules of Procedure.

Statutory Considerations: Indiana Code 36-7-4-603 states that in the consideration of zoning ordinance amendments and zone map changes that reasonable regard shall be paid to:

1. The Comprehensive Plan.
2. Current conditions and the character of current structures and uses.



3. The most desirable use for which the land is adapted.
4. The conservation of property values throughout the jurisdiction.
5. Responsible growth and development.

STAFF COMMENTS

1. Hold a public hearing at the June 1, 2015, APC meeting.
2. Prior to the final deposition, the petitioner will make any necessary revisions to the proposal based on APC comments, public comments and any additional staff comments.
3. If any APC member has questions prior to the public hearing, then please contact the Economic and Community Development Department at (317)804-3170 or economicdevelopment@westfield.in.gov.

ⁱ Article 6.1(G)(3) of the Unified Development Ordinance